IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

NOTICE OF MOTION NO.1736 OF 2003
IN
MISC.PETITION NO.22 OF 2003
IN
TEST.PETITION NO.617 OF 2001

Krishna Pratapsingh Udaypal Singh.. Petitioner

Vs.

Ravindra Kumar Lal Pratap Singh .. Respondent

Mr.Gidwani i/b Mr.B.G.Saraf for the petitioner

Mr.N.R.Modi with Ms.F.Thakhai i/b Rustamji & Ginwala for the respondent

CORAM : S.U.KAMDAR, J

DATED : 17TH JUNE, 2005

P.C.:

1. Not on board. By consent of the parties the motion is taken on board and called out for final disposal. As the matter is the same, similar order is passed as in Notice of Motion No.1737 of 2003 as under:

2. By consent of the parties ad interim order dt.25.6.03 is confirmed in terms of prayer clause (c). Further limited liberty is granted to the

respondent to produce the grant issued by this court in Probate Petition No.617 of 2001 before the court of Small Causes in a suit being R.A.E.Suit No.264/2472 of 1962. If an eviction decree is passed by rent court then the petitioner will be entitled to execute the said decree in respect of the said shop No.3, 4 and 5 situated at Ground Floor, of Raghuraj Bhavan, Gokhale Road (South), Dadar, Mumbai 400 028. However, the said premises will not be use and/or occupy either by the respondent nor any other parties will be inducted in the said premises either as tenant or licencee or in any other capacity without prior leave from this court. Motion disposed of accordingly. No order as to costs.